

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 0412164 MLW

|                                       |   |
|---------------------------------------|---|
| ERIC SOUVANNAKANE,                    | ) |
| Plaintiff                             | ) |
|                                       | ) |
| V.                                    | ) |
|                                       | ) |
| SEARS ROEBUCK & CO., WILLIAM SULLIVAN | ) |
| RICHARD SPELLMAN, BARBARA TAGLIARINO, | ) |
| KEVIN SULLIVAN, ALICIA COVIELLO,      | ) |
| GARY MANSFIELD,                       | ) |
| Defendants                            | ) |
|                                       | ) |

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**JOINT STATEMENT**

Pursuant to Local Rule 16.1(D) and this Court's Notice of Scheduling Conference, the parties hereby report to the Court as follows:

I. **AGENDA FOR SCHEDULING CONFERENCE**

The parties suggest the following agenda of matters to be discussed at the conference:

- a. The proposed scheduling plan for discovery and motions;
- b. The positions of the parties regarding settlement;
- c. Pending motions before the court;

II. **COMPLIANCE WITH LOCAL RULE 16.1(D)**

- A. Automatic Disclosures pursuant to Rule 26 and the Local Rules will be served no later than two weeks after the Initial Scheduling Conference;
- B. Fact Discovery will end on June 21, 2006;
- C. Plaintiff will disclose his expert(s) by August 21, 2006;

- D. Defendant will disclose its expert(s) by September 21, 2006;
- E. All Expert Depositions shall be completed by October 23, 2006;
- F. Dispositive Motions:
  - Dispositive Motions shall be filed by November 24, 2006
  - Responses to dispositive motions will be filed by December 21, 2006
  - Oral Argument on the motions will take place before January 22, 2007 or such other time as the Court deems appropriate.
- G. Pretrial Conference:
  - The parties request a pretrial conference after a decision on the dispositive motions.
  - The parties suggest February 21, 2007 with trial scheduled in the weeks following.

IV. CERTIFICATIONS:

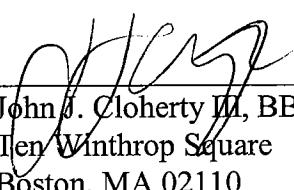
Certifications required by L.R. 16.1(D)(3) are being filed separately with the court.

Respectfully Submitted,  
The Plaintiff,  
ERIC SOUVANNAKANE,  
By his Attorneys,

The Defendant,  
GARY MANSFIELD,  
By his Attorneys,

**PIERCE, DAVIS & PERRITANO, LLP**

  
\_\_\_\_\_  
Kurt S. Olson, BBO#  
500 Federal Street  
Andover, MA 01810  
(978) 681-0800

  
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John J. Cloherty III, BBO# 566522  
Ten Winthrop Square  
Boston, MA 02110  
(617) 350-0950

The Defendant,  
SEARS ROEBUCK & CO., ET AL  
By its Attorneys,

*Christine Netski* *(HC)*

Christine M. Netski, BBO#  
Sugarman, Rogers, Barshak & Cohen, PC  
101 Merrimac Street  
Boston, MA 02114  
(617) 227-3030

CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of the  
above document was served upon each attorney of  
record, or pro se litigant, by ~~mail~~ *electronic filing* *(HC)*.

8/26/05  
Date